



STATE OF MICHIGAN

DEPARTMENT OF CORRECTIONS
LANSING

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MEMORANDUM

DATE: February 1, 2003

TO: Senator Alan L. Cropsey, Chair, Senate Appropriations Subcommittee on Corrections
Representative Mike Pumford, Chair, House Appropriations Subcommittee on Corrections

FROM: William S. Overton, Director

SUBJECT: **Prison Population Projections**

Section 401 of 2002 P.A. 524 requires the Department to submit 3 and 5 year prison population projection updates. Revised prison population projections for 2002 were not issued in February of last year because we needed to study unusually large increases in intake, and a faster than expected decline in the Community Residential Programs (CRP) population. Both had just begun to occur when the revised projections were due. It was important to obtain more definitive information and data on possible sentencing changes and the reasons for the CRP decline before we could reliably update the projections. Consequently, new projections were not issued until December 5, 2002. Since that latest update was issued less than two months ago, I indicated at the time that, by today's new deadline, we would be able to gauge the effects of the short-term measures that we implemented late last year to slow growth, and examine how the trends that were driving growth throughout last year are holding up. First, I will summarize the full, calendar year 2002 trends.

Corrections Trends

- Michigan's prison population grew by 2,142 inmates (4.5%) in 2002, which was 43% more growth than occurred in 2001.
- The primary factor driving 2002 prison population growth was a 15% increase in prison intake (more than 1,400 additional admissions) compared to 2001, for a new record high of 11,047. The previous record was 10,943 admissions to prison in 1992. In the intervening years, prison intake ranged from 8,667 in 1995 to 9,610 in 2001, so the 2002 increase was a significant jump from recent years. It appears that, based on preliminary information, some of the jump was due to increasing numbers of statewide felony court dispositions (up more than 3,000 in 2001 and perhaps up another 6-8% in 2002). Prison

admissions increased substantially across most commitment types, with the largest increase in probation violators sentenced to prison, followed by new court commitments, and then parole violators with new sentences. Examination of the minimum term distribution shows the largest increase among “short-termers” (i.e., prisoners sentenced to minimum terms of 2 years or less). In 1994, they accounted for 45% of total intake. By 2002, they had increased to a total of over 56% of intake.

- The other major factor driving 2002 prison population growth was the decline of the CRP population due to requirements resulting from enactment of Michigan’s Truth in Sentencing law. Truth in Sentencing requires that State prisoners serve their full minimum sentences without credit for good behavior before seeing the parole board for the first time, and it requires that the entire minimum sentence be served in a secure institution or prison camp. Due to the latter provision, prisoners subject to Truth in Sentencing cannot be placed in the CRP pre-parole program, so 742 fewer inmates were placed in CRP during 2002 and the program population fell by 26%. There is a one-to-one relationship between the CRP population and the prison population because every inmate who cannot be placed in CRP requires a prison bed.
- Other important factors that affect the size of the prison population include movement to parole, technical parole violator returns to prison, discharges on the maximum sentence, and prisoners serving life terms.
 - The Parole Board approved parole for 48.4% of the 24,258 cases reviewed in 2002, a 0.7% increase over the 2001 parole approval rate. That resulted in 10,682 moves to parole in 2002, which was a 7% increase over 2001 and eclipsed the old record high of 10,506 moves to parole set in 1998.
 - Despite a 1,047 increase in the parole population supervised in Michigan during 2002, parole violator technical returns to prison increased by only 57 (2%) in 2002 compared to 2001, but that still translates into a new record high of 3,293 parole violators returned to prison.
 - Discharges on the maximum sentence from institutions and camps increased by 59 (4%) over 2001 to 1,656 max outs, another record high.
 - Michigan prisoners serving life terms increased by 136 inmates to a new high of 4,572. Michigan’s lifer population exceeds the total prison population in each of 12 other states according to the latest Federal statistics.

Implications & Conclusions

The prison population projections that were issued in December 2002 were based on data for January through October of last year. As was noted in the report, the data showed the prison population growing at a pace of 243 per month. Such a pace was unsustainable from both prison bed availability and budgetary perspectives. Consequently, the Department implemented measures in November designed to make our remaining vacant beds last as long as possible, because every month that we can delay the remaining beds saves several million dollars in operating costs. Key among the measures taken was an effort by the parole board to adjust the parole dates for offenders who had already been approved for release at later dates. The measures taken managed to bring a temporary stop to growth in November. In fact, the prison population fell by 298 inmates that month, and then grew by only 10 inmates in December. But an increase in paroles in these months was essentially borrowed from future months, and demonstrates that such measures are merely short-term fixes that can only delay the inevitable. If the 2002 trends were to continue throughout 2003, we would exhaust all male prison beds by sometime in the fall of this year, but we cannot let that happen.

In order to reduce the likelihood of running out of prison beds, the Department is developing a series of statutory and administrative recommendations for consideration by the Executive Office. These statutory and administrative changes in criminal justice policy will need to effectively address either the number of offenders coming to prison or the length of time they are incarcerated, or both. Once direction is received from the Executive Office, we will revise the projections that were issued two months ago.

In summary, the Department has been meeting with Executive Office representatives and we are in the process of examining every potential means available to control prison population growth over both the shorter and longer terms. Rest assured that we will issue revised projections that take into account whatever measures are ultimately adopted, as soon as a course of action is determined.

cc: Mary A. Lannoye, Office of the State Budget
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